

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DATE FILED: 02/09/2023

ENRIQUE OSORIO-FRANCO, Individually and
on Behalf of All Others Similarly Situated,

Plaintiff,

v.

SPECTRUM PHARMACEUTICALS, INC.,
THOMAS J. RIGA, FRANCOIS J. LEBEL, and
NORA E BRENNAN,

Defendants.

LUIS CARNEIRO, Individually and on Behalf of
All Others Similarly Situated,

Plaintiff,

v.

SPECTRUM PHARMACEUTICALS, INC.,
THOMAS J. RIGA, FRANCOIS J. LEBEL, and
NORA E BRENNAN,

Defendants.

Civ. A. No. 1:22-cv-10292-VEC

Consolidated with
Civ. A. No. 1:22-cv-10677-VEC

MEMO ENDORSED

Civ. A. No. 1:23-cv-00767-UA

**NOTICE OF MOTION AND MOTION OF STEVEN B. CHRISTIANSEN FOR
CONSOLIDATION, APPOINTMENT AS LEAD PLAINTIFF AND APPROVAL OF HIS
SELECTION OF LEAD COUNSEL**

PLEASE TAKE NOTICE that on a date and at a time designated by the Court, before the Honorable Valerie E. Caproni, at the United States District Court for the Southern District of New York, located at 40 Foley Square, Courtroom 443, New York, New York 10007, Steven B. Christiansen (“Mr. Christiansen”), by counsel, pursuant to the Private Securities Litigation Reform Act of 1995 (“PSLRA”), 15 U.S.C. § 78u-4(a)(3)(B), will respectfully move this Court for an Order: (i) consolidating the above-captioned *Carneiro* Action into the above-captioned consolidated actions (the “Consolidated Action”); (ii) appointing Mr. Christiansen as Lead Plaintiff for the Consolidated Action; (iii) approving his selection of Kaplan Fox & Kilsheimer LLP (“Kaplan Fox”) to serve as Lead Counsel for the proposed class, and (iv) for any such further relief as the Court may deem just and proper.

In support of his Motion, Mr. Christiansen submits his Memorandum of Law in Support of the Motion of Steven B. Christiansen for Consolidation, Appointment as Lead Plaintiff and Approval of his Selection of Lead Counsel, and the Declaration of Jeffrey P. Campisi in Support of the Motion of Steven B. Christiansen for Consolidation, Appointment as Lead Plaintiff and Approval of his Selection of Lead Counsel, dated February 3, 2023, and its exhibits.

This Motion is made on the grounds that Mr. Christiansen believes he is the “most adequate plaintiff” pursuant to the PSLRA and should therefore be appointed Lead Plaintiff. Specifically, Mr. Christiansen believes that he has the “largest financial interest” in the relief sought by the proposed class in the Consolidated Action as a result of the losses he suffered on his purchases of Spectrum Pharmaceuticals, Inc. common stock. Mr. Christiansen also believes that he otherwise satisfies the requirements of Rule 23 of the Federal Rules of Civil Procedure because his claims are typical of those of other class members and because he will fairly and adequately represent the interests of the class.

WHEREFORE, Mr. Christiansen respectfully requests that the Court: (1) consolidate the *Carneiro* Action into the Consolidated Action; (2) appoint him as Lead Plaintiff for the Consolidated Action in accordance with the PSLRA; (3) approve his selection of Kaplan Fox to serve as Lead Counsel for the proposed Class; and (4) grant any such further relief that the Court may deem just and proper.

Dated: February 3, 2023

Respectfully submitted,

/s/ Jeffrey P. Campisi

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Attorneys for Movant Steven B. Christiansen

CERTIFICATE OF SERVICE

I, Jeffrey P. Campisi, hereby certify that, on February 3, 2023, I caused the foregoing to be served on all counsel of record by filing the same with the Court using the CM\ECF system which will send electronic notices of the filing to all counsel of record.

/s/ Jeffrey P. Campisi

Jeffrey P. Campisi

IT IS HEREBY ORDERED that, by no later than **February 14, 2023**, the parties in the cases numbered 22-cv-10292 and 22-cv-10677 must respond to Plaintiff's request that the case numbered 23-cv-767 be consolidated with cases 22-cv-10292 and 22-cv-10677 pursuant to Federal Rule of Civil Procedure 42.

SO ORDERED.

Valerie Caproni

02/09/2023

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE